

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HARVEY WEAVER	:	CIVIL ACTION
	:	
v.	:	
	:	
JOHN PALAKOVICH, et al.	:	No. 10-3888

ORDER

AND NOW, this 11th day of February, 2013, upon consideration of Petitioner's petition for a writ of habeas corpus, and Respondents' response thereto, IT IS HEREBY ORDERED that Petitioner's petition is **DENIED WITH PREJUDICE AND WITHOUT A HEARING.**

IT IS FURTHER ORDERED that no certificate of appealability will be issued pursuant to 28 U.S.C. § 2253 because petitioner has failed to make a substantial showing of denial of a constitutional right.

The Clerk of Court is hereby directed to mark this case closed.

/s/ J. William Ditter, Jr. _____
J. WILLIAM DITTER, JR., J.